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| DORSEY & WHITNEY LLP 555 CALIFORNIA STREET, SUITE 1000 SUITE 1000 SAN FRANCISCO, CA 94104 | | | LENNOX, NATALIE | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|------------------------------|----------------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/523,128 | LAW ET AL. |
| | Examiner Natalie Lennox | Art Unit 2626 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 January 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 January 2005 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/01/2005, 8/15/2006.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Objections

2. Claim 12 is objected to because of the following informalities: In the second line of claim 12 the term "EMCAscript" is incorrect the correct spelling for the term is "ECMAscript." Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 2, 6, 7, 14, 15, 17, 18, 25 are rejected under 35 U.S.C. 102(a) as being anticipated by Voxeo Designer 2.0 (February 2002).

As per claims 1, 14, and 15, Voxeo Designer 2.0 teaches a process and system for developing a voice application, including:

generating graphical user interface components for defining execution paths of said application by arranging dialog elements in a tree structure, each path through said

tree structure representing one of said execution paths (first screenshot "The Workspace", wherein the "MainMenu" dialog element is connected to subsequent dialog elements "PlayMessages," "ApplicationHelp," and "LeaveMessage," thereby forming a tree structure with the various execution paths from the main menu representing the branches);

generating said dialog elements on the basis of predetermined templates and properties of said dialog elements, said properties received from a user via said graphical user interface components, each of said dialog elements corresponding to at least one voice language template ("The Toolbar" and "The Property Editor" screenshots, wherein "the toolbar" contains the list of templates including voice language templates (VoiceXML), and wherein "the property editor" provides for modifying the template properties as shown.); and

generating at least one voice language module for said application on the basis of said at least one voice language template and said properties ("The Workspace" screenshot, wherein the "PlayMessages" dialog element also represents a voice language module for the application.).

As per claim 17, Voxeo Designer 2.0 teach a system for use in developing a voice application, including:

a dialog element selector for defining execution paths of said application by selecting dialog elements and adding said dialog elements to a tree structure, each path through said tree structure representing one of said execution paths (first screenshot

"The Workspace", wherein the "MainMenu" dialog element is connected to subsequent dialog elements "PlayMessages," "ApplicationHelp," and "LeaveMessage," thereby forming a tree structure with the various execution paths from the main menu representing the branches);

a dialog element generator for generating said dialog elements on the basis of predetermined templates and properties of said dialog elements, said properties received from a user of said system, each of said dialog elements corresponding to at least one voice language template ("The Toolbar" and "The Property Editor" screenshots, wherein "the toolbar" contains the list of templates including voice language templates (VoiceXML), and wherein "the property editor" provides for modifying the template properties as shown.); and

a code generator for generating at least one voice language module for said application on the basis of said at least one voice language template and said properties ("The Workspace" screenshot, wherein the "PlayMessages" dialog element also represents a voice language module for the application.).

As per claim 2, Voxeo Designer 2.0 teaches a process and system as claimed in claim 1, wherein the voice language templates include VoiceXML elements ("The Toolbar" screenshot and paragraph underneath, where "the toolbar contains all of the CallXML or VoiceXML elements that are valid within the current editing context.").

As per claim 6, Voxeo Designer 2.0 teaches a process as claimed in claim 1, wherein each of said at least one voice language modules includes a reference to the next of said at least one voice language modules in an execution path of said application ("The Workspace" illustrates at least the dialog element "PlayMessages," which includes a reference to the "ErrorBlock" dialog element.).

As per claim 7, Voxeo Designer 2.0 teach a process as claimed in claim 1, including generating a graphical representation of said dialog elements and said execution paths on the basis of said at least one voice language module ("The Workspace" illustrates dialog element "PlayMessages" containing an execution path towards "ErrorBlock" included in the same voice language module.).

As per claim 18, Voxeo Designer 2.0 teach a system as claimed in claim 17, wherein said selector is adapted to generate a graphical representation of said dialog elements and said execution paths on the basis of said at least one voice language module (first screenshot "The Workspace" clearly illustrates the graphical representation of the dialog elements included in the "toolbar" and wherein at least one voice language module is the "PlayMessages" dialog element.).

As per claim 25, Voxeo Designer 2.0 teach a graphical user interface for use in developing a voice application, said interface including graphical user interface components for defining execution paths of said application by arranging configurable

dialog elements in a tree structure, each path through said tree structure representing one of said execution paths, and said dialog element components may include one or more of:

 a start dialog component for defining the start of said application (screenshot of the "The Toolbar" shows the "run" item under the Actions menu);

 a variables component for use in defining variables for said application;

 a menu component for defining a menu (screenshot of the "The Toolbar" shows the "menu" item under the Blocks menu);

 a menu choice component for defining a choice of said menu (screenshot of the "The Toolbar" shows the "menu" and "block" items under the Blocks menu);

 a decision component for defining a decision branching point (screenshot of the "The Toolbar" shows the "onMaxDigits," "onMaxTime," "onMaxSilence," "onMaxPages," "onCallFailure," "onTermDigit," and "onError" items under the Events menu);

 a decision branch component for defining a test condition and an execution branch of said decision branching point (screenshot of the "The Toolbar" shows the "onTermDigit" item under the Actions menu);

 a form component for defining a form to collect input from a caller (screenshot of the "The Toolbar" shows the "recordAudio" or "text" items under the Media menu);

 a record component for recording audio (screenshot of the "The Toolbar" shows the "recordAudio" item under the Media menu);

 a speaker component for playing prompts (screenshot of the "The Toolbar" shows the "playAudio" item under the Media menu);

a local processing component for defining local processing;
a remote processing component for performing processing on a remote system;
a loop component for defining an execution loop;
a loop call component for calling said loop;
a loop next component for proceeding to the next cycle of said loop;
a loop break component for breaking out of said loop;
a subroutine component for defining a subroutine;
a subroutine call component for calling said subroutine;
subroutine return component for returning from said subroutine;
a jump component for defining a non-sequential execution path to a dialog element;
a transfer component representing the transfer of a call to another number;
a hotwords component for defining a word or phrase and a non-sequential execution path to a dialog element to be followed upon receipt of said word or phrase;
and
an end component for defining an end of said application (screenshot of the “The Toolbar” shows the “hangup” item under the Actions menu).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-5, 8-13, and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voxeo Designer 2.0 (Feb. 2002) in view of Pfeiffer et al. (US 2003/0055651).

As per claim 3, Voxeo Designer 2.0 teaches a process as claimed in claims 2, but Voxeo does not specifically mention wherein said at least one voice language module includes extended VoiceXML elements including VoiceXML tags and additional information to allow said dialog elements to be generated from said at least one voice language module. However, Pfeiffer et al. teach at least one voice language module including extended VoiceXML elements including VoiceXML tags and additional information to allow said dialog elements to be generated from said at least one voice language module (Paragraphs [0009], and [0170]-[0179] including table 5).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of at least one voice language module including extended VoiceXML elements including VoiceXML tags and additional information to allow said dialog elements to be generated from said at least one voice language module as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claim 4, Voxeo Designer 2.0, as modified by Pfeiffer et al., teach a process as claimed in claim 3, wherein said additional information includes one or more attributes of said VoiceXML tags (Pfeiffer's paragraphs [0170] and [0176]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of additional information including one or more attributes of said VoiceXML tags as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claim 5, Voxeo Designer 2.0, as modified by Pfeiffer et al. teach a process as claimed in claim 4, wherein said one or more attributes include qualified names (Pfeiffer's paragraphs [0190]-[0191]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of one or more attributes include qualified names as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claims 8 and 19, Voxeo Designer 2.0 teach a process and system as claimed in claims 1 and 17, but does not specifically mention including generating

extended VoiceXML code, prompt data, and grammar data for said application. However, Pfeiffer et al. teach generating extended VoiceXML code, prompt data, and grammar data for said application (Paragraphs [0200]-[0204], also Tables 8 and 9, wherein Table 9 specifically provides an example of the use of prompts in the extended file type attributes.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of generating extended VoiceXML code, prompt data, and grammar data for said application as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claims 9 and 20, Voxeo Designer 2.0, as modified by Pfeiffer et al., teach a process and system as claimed in claims 8 and 19, wherein said prompt data is represented as a grammar, and said process includes improving said grammar (Pfeiffer's paragraph [0202], wherein the formats for both <field> and <grammar> are the same.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of prompt data represented as a grammar, and said process includes improving said grammar as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element

types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claims 10 and 21, Voxeo Designer 2.0, as modified by Pfeiffer et al., teach a process and system as claimed in claims 1 and 17, including generating at least one script for generating a prompt for said application on the basis of one or more parameters supplied to said script (Pfeiffer's paragraph [0005] and Table 5 (below paragraph [0179])).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of generating at least one script for generating a prompt for said application on the basis of one or more parameters supplied to said script as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claims 11 and 22, Voxeo Designer 2.0, as modified by Pfeiffer et al., teach a process and system as claimed in claims 10 and 21, wherein said at least one script is generated on the basis of at least one script template and prompt data defined for said prompt by a user (Pfeiffer's Paragraph [0005]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of at least one script is generated on the

basis of at least one script template and prompt data defined for said prompt by a user as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claim 12, Voxeo Designer 2.0, as modified by Pfeiffer et al., teach a process as claimed in claim 11, wherein said at least one script includes EMCAscript (Pfeiffer's Table 5 (below paragraph [0179])).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of at least one script including EMCAscript as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claims 13 and 23, Voxeo Designer 2.0, as modified by Pfeiffer et al., teach a process and system as claimed in claims 8 and 19, including generating VoiceXML code and IVR grammar data for execution of said application on an IVR system on the basis of said extended VoiceXML code, prompt data, and grammar data (Pfeiffer's paragraphs [0170], [0200]-[0204], also Tables 8 and 9, wherein Table 9

specifically provides an example of the use of prompts in the extended file type attributes.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of generating VoiceXML code and IVR grammar data for execution of said application on an IVR system on the basis of said extended VoiceXML code, prompt data, and grammar data as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claim 16, Voxeo Designer 2.0, as modified by Pfeiffer et al., teach a computer readable storage medium having stored thereon program code for executing the process of claim 3 (see rejection for claim 3 and Pfeiffer's paragraph [0007]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of a computer readable storage medium having stored thereon program code for executing the process of claim 3 as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

As per claim 24, Voxeo Designer 2.0 teach the system of claim 17, but does not specifically mention generating an extended VoiceXML file. However, Pfeiffer et al. teach generating an extended VoiceXML file (Pfeiffer's Tables 8 and 9).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of generating an extended VoiceXML file as taught by Pfeiffer et al. for Voxeo Designer's process because Pfeiffer et al. provides a method for extended element types to enhance operational characteristics in a voice portal for supporting voice applications that provide unique business services (title and paragraph [0020]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalie Lennox whose telephone number is (571) 270-1649. The examiner can normally be reached on Monday to Friday 9:30 am - 7 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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09/25/2007



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PRIMARY EXAMINER